

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JAMERO TERRILE MOSES, #231885,

Plaintiff,

v.

Case No. 08-12161

Hon. Anna Diggs Taylor

Magistrate Judge Michael Hluchaniuk

LLOYD RAPELJE, *et al.*,

Defendants.

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION
(D/E-33)

This matter is before the court on Magistrate Judge Michael Hluchaniuk's Report and Recommendation of February 25, 2009, recommending that Defendants' Motion for Summary Judgment be granted and Plaintiff's Motion for Preliminary Injunction be denied as moot.

The court has reviewed the file, the Magistrate Judge's Report and Recommendation, and Plaintiff's objections (D/E-36) filed thereto. The court finds that the law cited by the Magistrate has been correctly placed and is controlling in this matter.

THEREFORE, the court will accept the Magistrate's Report and Recommendation of February 25, 2009, as the findings and conclusions of this court.

Accordingly,

IT IS HEREBY ORDERED that Magistrate Judge Hluchaniuk's Report and Recommendation of February 25, 2009, is ACCEPTED and ADOPTED.

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment is GRANTED and Plaintiff's Motion for Preliminary Injunction is DENIED as MOOT.

IT IS SO ORDERED.

DATED: April 22, 2009

s/ Anna Diggs Taylor

ANNA DIGGS TAYLOR

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on April 22, 2009.

Jamero Moses, #231885
Newberry Correctional Facility
3001 Newberry Ave
Newberry, MI 49868

s/Johnetta M. Curry-Williams
Case Manager